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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/679,781	10/06/2003	Roberto Obregon	200209472-1	5242

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EXAMINER

CULLER, JILL E

ART UNIT PAPER NUMBER

2854

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/679,781

Applicant(s)

OBREGON ET AL.

Examiner

Jill E. Culler

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2005 and 30 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) ☒ Notice of References Cited (PTO-892) | 4) ☐ Interview Summary (PTO-413) |
| 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) ☐ Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) ☐ Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 8-13 and 15-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,464,200 to Nakazato et al. in view of U.S. Patent No. 5,104,117 to McCormick et al.

With respect to claims 1 and 11, Nakazato et al. teaches a printing system comprising a plurality of output surfaces or trays, 16, wherein each of said plurality is attached to a mounting surface running substantially perpendicular to a height of said printing system and is offset horizontally from one another and wherein each of said plurality is shaped to provide user access to printed output and wherein said printed output is deposited to a specific one of said plurality of output surfaces responsive to a selection. See column 3, lines 16-40, column 6, lines 30-52 and Fig. 2 in particular.

Nakazato et al. does not explicitly teach individual user access to a specific tray holding printed output.

McCormick et al. teaches a printing system comprising a plurality of output trays in which sheets are directed and deposited in specifically identified receiving trays. See column 5, lines 22-28.

It would have been obvious to one having ordinary skill in the art at the time of

the invention to use the individually identified tray system of McCormick et al. with the system of Nakazato et al. in order to more efficiently provide output to a specific user.

With respect to claims 2-3 and 12-13, Nakazato et al. also teaches the plurality of output surfaces are substantially the same and substantially parallel to one other, and that the plurality of output surfaces extends beyond a footprint of the printing system. See column 3, lines 16-40 and Fig. 2 in particular.

With respect to claims 8-10 and 15-17, Nakazato et al. teaches that the selection is a user selection, or a function of said printing device communicating said printed output, corresponding to a function of the printing device or depending on a user requesting printing. See column 6, lines 30-52.

With respect to claims 19 and 21, Nakazato et al. teaches that the function is selected from a group comprising copying, faxing and printing. See column 6, lines 30-52.

With respect to claims 18 and 20, Nakazato et al. teaches a high capacity output tray. As the specification does not establish explicit parameters to determine what quantity of output is considered to be high, any output tray of Nakazato et al. must be considered to meet this requirement.

3. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakazato et al. in view of McCormick et al., as applied to claims 1-3, 8-13 and 15-21 above, and further in view of U.S. Patent No. 5,098,074 to Mandel et al.

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Nakazato et al. and McCormick et al. teach all that is claimed, as in the above rejection of claims 1-3, 8-13 and 15-21 except that the plurality of output surfaces are retractable.

Mandel et al. teaches a retractable output surface, 60. See column 6, lines 38-53.

It would have been obvious to one having ordinary skill in the art at the time of the invention to further modify the output surfaces of Nakazato et al. to be retractable, as taught by Mandel et al. in order to better assemble the output sheets in the tray.

4. Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakazato et al. in view of McCormick et al., as applied to claims 1-3, 8-13 and 15-21 above, and further in view of U.S. Patent No. 5,920,758 to Ohtsuki.

Nakazato et al. and McCormick et al. teach all that is claimed, as in the above rejection of claims 1-3, 8-13 and 15-21. Nakazato et al. also teaches a print engine, 11, for printing output of the printing system. See column 3, lines 18-22.

Nakazato et al. and McCormick et al. do not teach an input tray for storing and providing print media to the print engine, an automatic document feeder, or a scanner for capturing an image from an original to be copied. Nakazato et al. and McCormick et al. also do not teach that the plurality of output surfaces are disposed between one of: the print engine and the input tray, the input tray and the scanner, and the scanner and the print engine.

Ohtsuki teaches a printing device having a print engine, 200, an input tray, 10, with an automatic document feeder for storing and providing print media to the print engine and a scanner, 100, for capturing an image from an original to be copied. See column 3, lines 29-35, column 4, lines 40-54 and Fig. 2 in particular. Ohtsuki also teaches an output space, 300, located between the scanner and the print engine. See column 3, lines 56-60.

It would have been obvious to one having ordinary skill in the art at the time of the invention to further modify the printing device of Nakazato et al. to have the element arrangement of Ohtsuki in order to provide a stable device which takes up less space.

5. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakazato et al. in view of McCormick et al., as applied to claims 1-3, 8-13 and 15-21 above, and further in view of U.S. Patent No. 6,428,000 to Hara et al.

Nakazato et al. and McCormick et al. teach all that is claimed, as in the above rejection of claims 1-3, 8-13 and 15-21 except that the plurality of output trays are foldable.

Hara et al. teaches a foldable output tray. See column 4, lines 49-52.

It would have been obvious to one having ordinary skill in the art at the time of the invention to further modify the output surfaces of Nakazato et al. to be foldable, as taught by Hara et al. in order to be able to accommodate sheets of different sizes.

Response to Arguments

6. Applicant's arguments with respect to claims 1 and 11 have been considered but are moot in view of the new ground(s) of rejection.

In response to applicant's argument concerning claims 9, 10, 15 and 17, that the reference does not contemplate depositing printed output to a specific one of the plurality of output surfaces responsive to a user-selection or selection based on the function of the printing system, in column 6, lines 30-52, as cited in the above rejection, Nakazato et al. describes a user entering a print command and an ID number which the system then uses to identify a particular bin corresponding to that ID number and deposit the printed output in that bin. This indicates both a user selection of a bin to be used, by entering the ID number, and a selection based on the function of the printing system where the system evaluates the data and determines where to deposit the output, thus showing the system performing both of the functions of the claims in question.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill E. Culler whose telephone number is (571) 272-2159. The examiner can normally be reached on M-Th 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jec



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